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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/826,540

04/16/2004

Karlheinz Schreyer

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09/19/2006

BAKER BOTTS L.L.P.  
PATENT DEPARTMENT  
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AUSTIN, TX 78701-4039

EXAMINER

HUYNH, CHUCK

ART UNIT

PAPER NUMBER

2617

DATE MAILED: 09/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/826,540	<b>Applicant(s)</b> SCHREYER ET AL.	
	<b>Examiner</b> Chuck Huynh	<b>Art Unit</b> 2617	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 July 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8, 10 and 11 is/are pending in the application.
- 4a) Of the above claim(s) 9 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10 and 11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

Art Unit: 2617

### **DETAILED ACTION**

1. The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

### ***Response to Arguments***

2. Applicant's arguments with respect to claim 1-11 have been considered but are moot in view of the new ground(s) of rejection.

Regarding claim 1, Aljadeff discloses a mobile/portable unit (MSU) as being a panic button, which is unidirectional in transmission to supervision units (Page 16, 3<sup>rd</sup> paragraph). However, that might be unclear and that's why Menard is used to disclose a unidirectional unit.

Regarding the new limitation of "assigning individual time slots to each bidirectional subscriber," it is well known in the art of TDMA to assign time slots to individual communication device.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**2. Claims 1-8, 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aljadeff (WO 00/52658) in view of Menard et al. (US 6,563,910; hereinafter Menard) in further view of Krishnamurthy et al. (US 6,910,024; hereinafter Krishnamurthy) in further view of Clare et al (US 6,414,955; hereinafter Clare).**

Regarding claim 1, Aljadeff discloses a method for radio transmission of messages in an alarm signaling system with a central station and a plurality of bidirectional and unidirectional subscribers, in which the central station and the bidirectional subscribers each feature a send and receive unit while the unidirectional subscribers merely possess a send unit and whereby the unidirectional subscribers located outside the radio coverage area of the destination of a message of the unidirectional subscriber, which as a rule is the central station, attempt to send messages via one of the bidirectional subscribers to the destination (Abstract; Fig. 3; Pages 7-10, 31-34), comprising the steps of:

- receiving a message sent by a unidirectional subscriber by all bidirectional subscribers within its radio coverage area (Pages 15+, 32: Aljadeff discloses when the alarm sensor detects an alarm, the emergency message is broadcasted to other units within this multi-hop network and eventually to the communication center (central station); Page 33-34). Even though the originating unit has bi-directional capability it is well known in the art that emergency sensors has unidirectional capability.

Menard discloses unidirectional emergency sensors (Col 10, lines 32-44). It would have been obvious to one ordinarily skilled in the art at the time of invention to incorporate unidirectional sensors, which are more cost effective.

Aljadeff in view of Menard discloses all the particulars of the claim except

- waiting by each bidirectional subscriber that has received the message for a period of time individually assigned to the subscriber to send a confirmation and/or to forward the message to the destination or to the central station,
- during the wait time, switching to receive by each subscriber in order to monitor a radio channel to see if another subscriber with a shorter wait time has already confirmed the message and/or forwarded it to the central station, and
- as soon as a subscriber receives a confirmation of the message or the act that it has been forwarded, suppressing its own confirmation or forwarding of the message.

However, Krishnamurthy discloses the limitations of

- waiting by each bidirectional subscriber that has received the message for a said individually assigned time slot to send a confirmation and/or to forward the message to the destination or to the central station (Col 8, lines 20-30),
- during the wait time, switching to receive by each bi-directional subscriber in order to monitor a radio channel to see if another bi-directional subscriber with a shorter wait time has already confirmed the message and/or forwarded it to the central station (Col 8, lines 20-30), and

- as soon as a bi-directional subscriber receives a confirmation of the message or the act that it has been forwarded, suppressing its own confirmation or forwarding of the message (Col 8, lines 20-30).

It would have been obvious to one ordinarily skilled in the art at the time of invention to incorporate Krishnamurthy's disclosure to reduce unnecessary overhead.

Aljadeff in view of Menard in further view of Krishnamurthy discloses all the particulars of the claim except for assigning individual time slots to each bi-direction subscribers;

However, Clare does disclose for assigning individual time slots to each bi-direction subscribers (Col 6, line 63 – Col 7, line 7); and also that some nodes can be uni-directional as well (Col 7, lines 50-55).

It would have been obvious to one ordinarily skilled in the art at the time of invention to incorporate Clare's disclosure to prevent collisions of data.

Regarding claim 2, Aljadeff in view of Menard in further view of Krishnamurthy discloses the method in accordance with Claim 1, wherein, all bidirectional subscribers first wait to see if the central station has received and confirmed the message before they confirm or forward the message in their next available time slot (Col 8, lines 20-30).

Regarding claim 3, Aljadeff in view of Menard in further view of Krishnamurthy discloses the method in accordance with Claim 1, wherein, the order of the wait times

and thereby the wait times of the bidirectional subscribers is defined by their address within the radio cell (Col 6, lines 44-64).

Regarding claim 4, Aljadeff in view of Menard in further view of Krishnamurthy discloses the method in accordance with Claim 2, wherein, the order of the wait times and thereby the wait times of the bidirectional subscribers is defined by their address within the radio cell (Col 6, lines 44-64).

Regarding claim 5, Aljadeff discloses the method in accordance with Claim 1, wherein, in the central station the identification of the unidirectional subscriber is checked and in accordance with this check, the message is either accepted or rejected (Page 16, 2<sup>nd</sup> Paragraph). And further more regarding claim 5, Menard also discloses the method in accordance with Claim 1, wherein, in the central station the identification of the unidirectional subscriber is checked and in accordance with this check, the message is either accepted or rejected (Col 1, lines 52+).

Regarding claim 6, Aljadeff discloses the method in accordance with Claim 4, wherein, in the central station the identification of the unidirectional subscriber is checked and in accordance with this check, the message is either accepted or rejected (Page 16, 2<sup>nd</sup> Paragraph). Further regarding claim 6, Menard also discloses the method in accordance with Claim 4, wherein, in the central station the identification of the

unidirectional subscriber is checked and in accordance with this check, the message is either accepted or rejected (Col 1, lines 52+).

Regarding claim 7, Aljadeff discloses a method for radio transmission of messages in an alarm signaling system with a central station and a plurality of bidirectional and unidirectional subscribers (Abstract; Fig. 3; Pages 7-10, 31-34), comprising the steps of:

- receiving a message sent by a unidirectional subscriber by all bidirectional subscribers within its radio coverage area (Pages 15+, 32: Aljadeff discloses when the alarm sensor detects an alarm, the emergency message is broadcasted to other units within this multi-hop network and eventually to the communication center (central station)). Even though the originating unit has bi-directional capability it is well known in the art that emergency sensors has unidirectional capability.

Menard discloses unidirectional emergency sensors (Col 10, lines 32+). It would have been obvious to one ordinarily skilled in the art at the time of invention to incorporate unidirectional sensors, which are more cost effective,

Aljadeff in view of Menard discloses all the particulars of the claim except

- waiting for said individually assigned timeslot by each bidirectional subscriber that has received the message to send a confirmation and/or to forward the message to the destination or to the central station, wherein during the wait time, each bi-direction subscriber switches to a receive mode in order to monitor a radio channel,



- monitoring whether another bi-directional subscriber with a shorter wait time has already confirmed the message and/or forwarded it to the central station, and
- as soon as a bi-directional subscriber receives a confirmation of the message or the fact that it has been forwarded, suppressing its own confirmation or forwarding of the message.

However, Krishnamurthy discloses the limitations of

- waiting for said individually assigned timeslot by each bidirectional subscriber that has received the message to send a confirmation and/or to forward the message to the destination or to the central station, wherein during the wait time, each bi-direction subscriber switches to a receive mode in order to monitor a radio channel (Col 8, lines 20-30),

- monitoring whether another bi-directional subscriber with a shorter wait time has already confirmed the message and/or forwarded it to the central station (Col 8, lines 20-30), and

- as soon as a bi-directional subscriber receives a confirmation of the message or the fact that it has been forwarded, suppressing its own confirmation or forwarding of the message (Col 8, lines 20-30).

It would have been obvious to one ordinarily skilled in the art at the time of invention to incorporate Krishnamurthy's disclosure to reduce unnecessary overhead.

Aljadeff in view of Menard in further view of Krishnamurthy discloses all the particulars of the claim except for assigning individual time slots to each bi-direction subscribers;

However, Clare does disclose for assigning individual time slots to each bi-direction subscribers (Col 6, line 63 – Col 7, line 7); and also that some nodes can be uni-directional as well (Col 7, lines 50-55).

It would have been obvious to one ordinarily skilled in the art at the time of invention to incorporate Clare's disclosure to prevent collisions of data.

Regarding claim 8, Aljadeff in view of Menard in further view of Krishnamurthy discloses the method in accordance with Claim 7, wherein, the order of the wait times and thereby the wait times of the bidirectional subscribers is defined by their address within the radio cell (Col 6, lines 44-64).

Regarding claim 10, Aljadeff discloses the method in accordance with Claim 7, wherein, in the central station the identification of the unidirectional subscriber is checked and in accordance with this check, the message is either accepted or rejected (Page 16, 2<sup>nd</sup> Paragraph). Furthermore regarding claim 10, Menard also discloses the method in accordance with Claim 7, wherein, in the central station the identification of the unidirectional subscriber is checked and in accordance with this check, the message is either accepted or rejected (Col 1, lines 52+).

Regarding claim 11, Aljadeff discloses the method in accordance with Claim 9 wherein, in the central station the identification of the unidirectional subscriber is checked and in accordance with this check, the message is either accepted or rejected (Page 16, 2<sup>nd</sup> Paragraph). Furthermore, regarding claim 11, Menard also discloses the method in accordance with Claim 9 wherein, in the central station the identification of the unidirectional subscriber is checked and in accordance with this check, the message is either accepted or rejected (Col 1, lines 52+).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sherman; Michael J. (US 5455569) discloses a Link layered communications network and method with similar topology.

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

Art Unit: 2617


mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuck Huynh whose telephone number is 571-272-7866. The examiner can normally be reached on M-F 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duc Nguyen can be reached on 571-272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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